

## Corporations as Tools

"State grants to a business corporation the blessings of potentially perpetual life and limited liability to enhance its efficiency as an economic entity. It might reasonably be concluded that those properties, so beneficial in the economic sphere, pose special dangers in the political sphere." – former Supreme Court Justice William Rehnquist Δ

## Constitutional Amendment Process

There two methods for amending the Constitution:

Congress may pass a resolution with a two-thirds vote, and the resolution is then ratified by three-quarters of the states. (All 27 amendments to date have been passed this way.)

OR

Amendments can be passed in a constitutional convention called by the states, and then ratified by three-quarters of the states. (This method has not been used since 1787). Δ

## Sources

\*\* ThinkProgress

Δ *Corporations are not People–Why they have more rights than you, and what you can do about it* (2012), by Jeff Clements

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# Why we need to add The People's Rights Amendment to the U.S. Constitution

# 2012

In support of a 28<sup>th</sup> Amendment

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# Why add a 28<sup>th</sup> Amendment?

We are here today to say: No one is against business. We are for business. **What we are against is global corporations paying unlimited amounts of money to get politicians elected** – because it makes lawmakers beholden to corporate interests.

Here are six examples of how lawmakers elected via unchecked corporate lobbying money are not free to vote for what is right:

1. **Bank of America** has paid no taxes since 2009. \*\*
2. **GE** has been able to claim a \$1 billion tax credit. Δ
3. **Coal corporations** received \$3.4 billion in tax money in 2009. Δ
4. **Citigroup** has outsourced thousands of American jobs to other countries, but in 2009 the federal government bailed it out of financial trouble with \$20 billion of taxpayer money. Δ
5. The highest historical oil price since 1864 and \$2 billion in subsidies to the 5 largest oil companies (**BP, Chevron, ConocoPhillips, ExxonMobil, and Royal Dutch Shell**) yielded lower oil production than in 2010. But these 5 companies combined made a record-high \$137 billion in profits in 2011. \*\*
6. **Energy Future Holdings—formerly TXU**—is on a path heading toward bankruptcy. Now there are rumors that the company may ask the Texas Legislature to approve a public or ratepayer-funded bailout. □

We already pay our bills to these corporations – we pay our electric and phone bills; we pay at the gas pump. **Citizens United allows our lawmakers to be constrained to vote to give them more in the form of subsidies, tax breaks, and anti-people business practices.** The money is captured by the CEOs of these global corporations; it does not trickle down to Americans.

Texas who want to do new business are being forced to devote their lives to developing relationships with people with money to compete with old, global corporation lobbying money, and true business suffers. New business suffers. That money should be free for development and job creation, rather than captured by a system that allows unlimited corporate spending to influence the outcome of political elections.

Do you support a 28<sup>th</sup> Amendment ending court mischaracterization of the word “person” and establishing once and for all that though all people are born free with inalienable rights, **Corporations are not People?**

Here are five examples of other countries building new industries that our lawmakers are not free to explore:

- Denmark generates 21 percent of its electricity from wind power.
- Spain (which is about the same size as Texas) generates 14 percent of its electricity from wind.
- Three states in Germany generate 40 percent of their electricity from wind.
- The Philippines derives 28 percent of its energy from geothermal sources.
- The United States generates less than 3 percent of its electricity from solar, wind, biomass, and geothermal. Δ

**Texas has always been a leader in American energy, and now Citizens United is holding us back. Our lawmakers should be free to vote for new business and economic progress.**

You may have noticed that some of these statistics pre-date the Supreme Court’s 2010 Citizens United decision. It was a decision that didn’t happen overnight. But, as Jeff Clements has said, **Citizens United took a problem that was uncontrolled and made it uncontrollable.** Citizens United created a constitutional principle requiring lawmakers to vote for the interests of global corporation CEOs, even when those interests harm most Americans and conflict with interests of these United States as a nation. **We are not America, Inc.**

Because of Citizens United, **we must act now** to establish that the American government is not a tool of global corporations.

What is Citizens United? In 2010, the United States Supreme Court decided in the 5-4 decision of **Citizens United v. Federal Election Commission** that corporations and unions have a First Amendment “free speech” right to spend unlimited amounts of money to influence the outcome of any local, state, or federal political election. While federal law does not allow corporations or unions to give money directly to political candidates, the Citizens United Decision allows corporations and unions to spend unlimited amounts of money on advertisements that directly support or oppose candidates.